G. R. S. IX-5]

Previous references. 1899-00. ~~191 .~~

File No. 52 of 1899

Serial Nos. 1-2

(G.T.)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2

Part B for 1899-00.

SUBJECT.

Re-fund of pur-chase money to Bhanumma and others of Koppa taluk

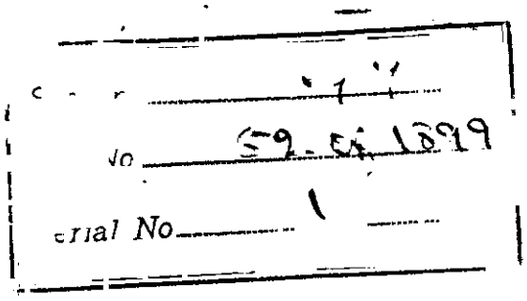
Pr 9-E

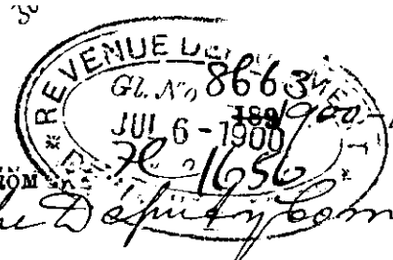
W D 88—GPB—50,000—24-7-16

Indexed

Ms

Sub Divisional Dept
24/7





1900-1901.

From The Deputy Commissioner
Kadur District

To The Secretary to the
Govt of Mysore
General & Revenue Dept.

Dated 29th June 1900

Despatched 4th July 1900

Received

General No. 822
No.

Enclosure No. 4 & memorandum

Submitting for sanction, a bill for Rs 75-3-0 on behalf of Bharmanna & two others of the Kadur Taluk.

Auth
R M
6.7.00

Complete file of Correspondence put up
11/7/00

R.B. 11/7/00

9/7/00

1899-1900

Deputy Commissioners Office
Kadur District
Dated, Chikmagalur, 29/6 June 1900.

From The Deputy Commissioner
Kadur District

To The Secretary to the Government
Of Mysore, General and Revenue, Depts

Sir,

In submitting for favour of Government sanction and transmission to the Comptroller for audit the accompanying refund bill for Rs 75-3-0 on behalf of

(1) Bharmamma
(2) Venka Heggadati and Nagappa, and
(3) Padmaraja Setti;

I have the honor to state as follows:-

2. A Sum of Rs 26-5-0 was due to Government by Khatedar Naga Heggadati of Heggar village, attached to Mégunda Hobli in the Koppa Taluk, for the year Durmukhi, 1896-97. — This

Khatédar

Khatedar being a minor orphan girl, was under the protection of one Taummanna, Patel of the village of the Heggar Kodagi in the said Taluk (since deceased)

3. For the recovery of Kandayem due by the said Khatedar, her lands, viz

		A. G.	assessment
(1) wet,	Survey No. 7,	2. 15,	7- 8—0
(2) Garden,	" 8,	1- 12,	15—8—0
		Total	23-0—0

situated at the village of Heggar Kodagi were ordered to be sold by public auction.

4. On 3rd June 1897, when the sale was held by Acting Shekdar Subba Rau on the spot, one Bharmanna of Bagavalli purchased these two lands for Rs 8/- and 26/- respectively and paid a deposit of Rs 7-8—0 immediately. He subsequently having failed to pay up the remaining purchase money, viz Rs 23-0—0, a second sale was afterwards conducted

34

Rs 30

conducted by Shekdar Venkataramanayya on 3rd December 1897, when Bharmamma, the first auction purchaser, again became the highest bidder for the same amount of Rs 34/- and he paid the full amount of purchase at once. The Taluk Amildar, in his Ittila no 584 of the 5th January 1898, recommended the confirmation of the sale. The Assistant Commissioner in charge of the Taluk (Mr B. Ramaswamiengar) confirmed it on the 19th idem.

19.1.98

5. On 2nd March 1898, one Jammayya, step brother of Naga Heggadati, the minor Khatédar of these lands, put in a petition to the Amildar of Koppa praying for the cancelment of the sale of these lands urging that he, or, his sister, the said minor Khatédar, had no knowledge of the sale in question, and that it was, moreover, not free from fraud.

fraud. The Amildar after making necessary enquiries in the matter of this petition, sent up the records on 15th April 1898 recommending the setting aside of the sale, as it was not above suspicion. The said Assistant Commissioner in charge of the Taluk passed an order on 25th April 1898 to the effect that "Bharmanna agrees "to the cancelment of the sale, provided "the purchase money (Rs 34/-) be repaid to "him; that, on his personal inspection on "25th April 1898, he found the same "lands to be worth Rs 300/-; and that, "as the purchaser consented to the sale "being set aside, the question of fraud "need not be entered into."

Again, on the 1st of May 1898, he asked the Amildar in order No 102 that the full amount of Kandayam

do

due on these lands, if recovered from Khatedar Naga Heggadati, may be kept in deposit, and the fact reported. In reply to this, the Amildar in his Stilla No 272 of the 28th September 1899, stated that a sum of Rs 75/-, which Naga Heggadati had produced before the Amildar of Sringeri on 25th August 1899, had been kept in deposit in the Taluk Treasury at Koppa on 30th idem. He also stated that the auction purchaser Bharmanna had sold these lands about 8 or 9 months before to Venka Heggadati and Nagappa, the widow and son of deceased Tammanna of Heggar Kodagi, in whose possession and enjoyment they then were; and that one Sringeri Padmaraja Setti, a mortgagee of all the lands of the said Tammanna, had paid up the Kandayam due on the lands in question for the subsequent year 1898-99.

1898-99. in submitting to the Deputy Commissioner the whole records of the case with yadi No. 272 of the 31st October 1899, the said Assistant Commissioner has stated that as the Sale of the lands in dispute does not appear to be quite free from fraud and irregularities, it may be cancelled. The then deputy Com-missioner (Mr. Venkatavarandiengar) replied in his yadi No. 1242 of 7th November 1899, stating that the matter may be disposed of by the Assistant Commissioner himself. On the 27th of December 1899, Mr. B. Ramaswamayya, B.A., Assistant Commissioner, who came in charge of the Taluk, set aside the Sale of the lands in question and ordered the refund of the Sale

-Amount

amount and Kandayam to the respective individuals from whom they were recovered and already credited to Government.

6. As above Explained, the full amount of Kandayam, viz: Rs 75/-, due on the lands in dispute for the years 1896-97, 1897-98 and 1898-99 having since been recovered from the original Khatedar Naga-Heggadati and duly credited to Government on the 30th August 1899, the refund of money now sought to be made stands as noted below:—

(1) The amount to be refunded to auction purchaser Bhaumanna, viz: ~~Rs~~ 26-5-0 out of ~~Rs~~ 34 being Sale amount paid by him, and Credited to Government in the Koppa Taluk Treasury on the 8th February 1898 towards the

balance

balance of Kandayam due by Khaledar Naga Heggadati for the year 1896-97 together with Rs 7-11-0 now kept in deposit.

(2) The amount to be refunded to Venka Heggadati and Nagappa, widow and son of Tammanna deceased, viz: Rs 24-7-0 (5+5+14-7-0), being Kandayam paid by the said Tammanna for the lands in question for the year 1897-98 and credited to Government in the Koppa Taluk Treasury on the 31st of January, 31st of March, and 30th of April 1898, respectively; and

(3) The amount to be refunded to Sringeri Padmaraja Setti, viz: Rs 24-7-0 (20+4-7-0), being Kandayam paid by him for auction purchaser Bharmanna for the year

year, 1898-99, and credited to Government in the Koppa Taluk Treasury on the 28th of February and 1st of May 1899, respectively — In all Rs 75-3-0.

7. It may, perhaps, be observed that the Assistant Commissioner, who cancelled the order passed by his predecessor, had no power to interfere in the matter — Vide Government Order: No: 4769 Dated 11th September 1889. But as the matter has proceeded so far and as there is no further dispute whatever, the order above referred to may, I think, be allowed to stand.

8. The Kanarese correspondence ending with Koppa Amildar's report no: 323 of the 22nd May 1900 is forwarded for reference and obliging return.

I have the honor to be,
Sir,
Your most obedient servant
B Ramaswamaiya
Asst for Deputy Commissioner Kanara District

Section 97
Vol No 52 of 1879
Serial No 2

Read

Letter no 822 of the 2nd June 1900 from the Deputy Comr Karwar Dt, submitting for sanction a refund bill in favor of Bharmanna and two others of Koppa Taluk.

Refund Bill
Q
13-10-00
R 15|10|0

R2 by post-
25.X.00

No. 3608-7 of 31.10.00 Order thereon.
7C337 order
Print the
usual
28.X.00

R
15|10|0

Survey No 7 of Heggar village in the Koppa Taluk, on which an arrear of Rs 26-5-0 for 1896-97 was due by the Khatedar one Naga Heggadati a minor Orphan girl, were sold by public auction in December 1897, and were purchased by one Bharma on Rs 34/-, of which Rs 26-5-0 was

Copy
30/10/00

credited in the Treasury towards the arrear, and the balance Rs 60 remained. The sale was cancelled in December 1899 owing to certain irregularities in the conduct thereof. In the meanwhile, the lands had been sold to Venkta Reggadeti another and they then mortgaged to Srinigeri Padmarajapathy. These parties paid the Kandayam for the lands in question for 1897-98 & 1898-99 respectively, and the amounts were credited in the Treasury. The full amount of Kandayam for 3 years of 1896-97, 1897-98 and 1898-99 amounting to Rs 75 was also recovered from the Khadeer Nagu Reggadeti, and credited

in the Treasury. The Dy
Comm^r proposes to
refund the amount
recovered from the e-
auction purchaser
Bhuruanna, Vendee
Vaddi Veerayya and
Mortgagee Padmaraja
Chetty and credited
Rs 75-3-0 in all.
2. The records submitted
disclose more than one
irregularity. The local
officers concerned should
be required to exercise
greater
~~better~~ care in the conduct
of sale proceedings in
future. The Asst Comm^r
Coconada before confirming
the sale ought to have
satisfied himself that there
was no fraud or irregularity
and his successor ought
not to have cancelled

the order passed by his predecessor.

3. As the whole proceeding appears to have been conducted with fraud, & as the Dy: Commr opines that there is no rejude whatever, the refund recommended is sanctioned & the bills are forwarded to the Comptroller for credit.

Sd

6/10/00

To the Dy: Commr Kashmir

with Rec: papers

The Comptroller is requested with bills.

1900-1901

GOVERNMENT OF MYSORE

FINANCIAL

PROCEEDINGS

Dated 31st October 1900

No. 3608-9
Fl. 337

Sanctioning, with certain remarks, a re-fund bill in favor of Bharmanna and two others of Koppa Taluk.

SBP—5-11-1900—200

READ-

Letter No. 822, dated the 2nd June 1900, from the Deputy Commissioner, Kadur district, submitting, for sanction, a refund bill in favor of Bharmanna and two others of Koppa taluk.

No. 3608-9—FL. 337, DATED BANGALORE, 31ST OCTOBER 1900.

ORDER THEREON—Survey Nos. 7 and 8 of Heggar village in the Koppa taluk, on which an arrear of Rs. 26-5-0 for 1896-97 was due by the khatedar Naga Heggadati, a minor orphan girl, were sold by public auction in December 1897, and were purchased by one Bharmanna for Rs. 34, of which Rs. 26-5-0 was credited in the Treasury towards the arrear, and the balance kept in deposit. The sale was cancelled in December 1899, owing to certain irregularities in the conduct thereof. In the meanwhile, the lands had been sold to Venka Heggadati and another and by them mortgaged to Sringeri Padmaraja Chetti. These parties paid the kandayam for the lands in question for 1897-98 and 1898-99, respectively, and the amounts were credited in the Treasury. The full amount of kandayam for three years of 1896-97, 1897-98 and 1898-99 amounting to Rs. 75 was also recovered from the khatedar Naga Heggadati and credited in the Treasury. The Deputy Commissioner proposes to refund the amount recovered from the auction purchaser Bharmanna, vendee Venka Heggadati and mortgagee Padmaraja Chetti and credited, *viz.*, Rs. 75-3-0 in all.

2. The records submitted disclose more than one irregularity. The local officers concerned should be required to exercise greater care in the conduct of sale proceedings in future. The Assistant Commissioner before confirming the sale ought to have satisfied himself that there was no fraud or irregularity, and his successor ought not to have cancelled the order passed by his predecessor.

3. As the whole proceeding appears to have been tainted with fraud, and as the Deputy Commissioner affirms that there is no dispute whatever, the refund recommended is sanctioned and the bills are forwarded to the Comptroller for audit.

L. ANANTASAMI RAO,
for *Secy. to Govt., Gen. & Rev. Depts.*

To—The Deputy Commissioner, Kadur District, with vernacular papers.
The Comptroller to the Government of Mysore, with the bills.

Exd.—C.V.